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RICHARD M. WELKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

KEVIN V. RYAN (CSBN 118321)  
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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

v.

LAN LEE,  
a/k/a Lan Li, and  
YUEFEI GE,

Defendants.

No. CR-06-00424 JW

STIPULATION CONTINUING STATUS  
DATE AND EXCLUDING TIME AND  
~~PROPOSED~~ ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between Kevin V. Ryan, United States Attorney, and Matthew A. Parrella, Assistant United States Attorney, counsel for the United States of America, and Thomas J. Nolan, Esq. and John Williams, Esq., counsel for defendants, that the status date currently scheduled for February 5, 2007, be vacated and continued to April 2, 2007, or to a date thereafter at the convenience of the Court.

This Stipulation is entered into for the following reasons:

1. Discovery is continuing. The defendants have received 8 hard drives which are clones of the computers searched during the investigation. In addition, the defendants have made

STIPULATION CONTINUING STATUS DATE,  
EXCLUDING TIME, AND ~~PROPOSED~~ ORDER

1 further requests to which the government is in the process of responding. A complete review of  
 2 this evidence is necessary before any meaningful discussions on the indictment can proceed.

3 2. Counsel for the defendants have spoken with the defendants and the defendants  
 4 have no objections to the continuance sought herein.

5 3. The defendants are not in custody.

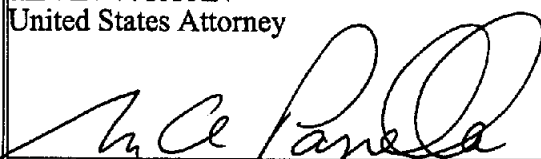
6 4. This continuance is sought to save the court's time and resources, to allow time  
 7 for the Defendants and the Government to evaluate and analyze discovery information which will  
 8 have a bearing on future negotiations.

9 5. Additionally, denial of this request could result in a miscarriage of justice, taking  
 10 into account the exercise of due diligence.

11 6. The additional time requested by this stipulation is excludable in computing the  
 12 time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18,  
 13 United States Code, Sections 3161(h)(1)(F), 3161(h)(7), and 3161(H)(8)(A), considering the  
 14 factors under Title 18 United States Code, Sections 3161(h)(8)(B)(i) and 3161(h)(8)(B)(iv).

15  
 16 DATED this 26<sup>th</sup> day of January, 2007.

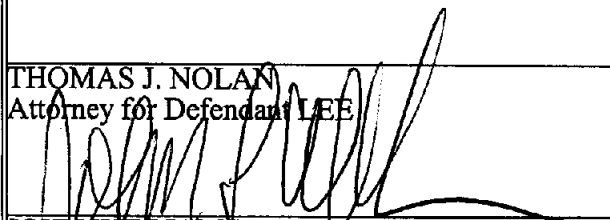
17  
 18 KEVIN V. RYAN  
 19 United States Attorney

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21 MATTHEW A. PARRELLA  
 22 Assistant United States Attorney

1-26-07  
 DATE

23 THOMAS J. NOLAN  
 24 Attorney for Defendant LEE

25 

DATE

26 JOHN WILLIAMS  
 27 Attorney for Defendant GE

1-26-07  
 DATE

28 STIPULATION CONTINUING STATUS DATE,  
 EXCLUDING TIME, AND ~~PROPOSED~~ ORDER

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 2 this evidence is necessary before any meaningful discussions on the indictment can proceed.

3 2. Counsel for the defendants have spoken with the defendants and the defendants  
 4 have no objections to the continuance sought herein.

5 3. The defendants are not in custody.

6 4. This continuance is sought to save the court's time and resources, to allow time  
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9 5. Additionally, denial of this request could result in a miscarriage of justice, taking  
 10 into account the exercise of due diligence.

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 12 time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18,  
 13 United States Code, Sections 3161(h)(1)(F), 3161(h)(7), and 3161(H)(8)(A), considering the  
 14 factors under Title 18 United States Code, Sections 3161(h)(8)(B)(i) and 3161(h)(8)(B)(iv).

15  
 16 DATED this 23 day of January, 2007.

17  
 18 KEVIN V. RYAN  
 19 United States Attorney

20  
 21 MATTHEW A. PARRELLA  
 22 Assistant United States Attorney

23  
 24 THOMAS J. NOLAN  
 25 Attorney for Defendant LEE

26 JOHN WILLIAMS  
 27 Attorney for Defendant GE

28 STIPULATION CONTINUING STATUS DATE,  
 EXCLUDING TIME, AND ~~PROPOSED~~ ORDER

DATE

23/Jan/07  
 DATE

DATE

1 Based upon the foregoing representations made by the parties by stipulated motion, and  
2 good cause appearing therefor,

3 **IT IS HEREBY ORDERED** that the time between April 10, 2006 and June 5, 2006  
4 shall be excluded from the computation the period within which the trial must commence, for the  
5 reasons and based upon the statutory provisions set forth above, and for those reasons proffered  
6 by the parties. The Court finds that the ends of justice outweigh the interests of the public and  
7 the parties in a speedier trial based upon the grounds set forth above.

8 **IT IS FURTHER ORDERED** that the matter shall be removed from the Court's  
9 calendar on February 5, 2007 and set for status on March 26, 2007, or a date thereafter at the  
10 convenience of the Court.

11 DATED:

12 1/30/2007

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14 JAMES WARE  
15 United States District Judge  
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28 STIPULATION CONTINUING STATUS DATE,  
EXCLUDING TIME, AND ~~PROPOSED~~ ORDER

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

USA et al,

Plaintiff,

Case Number: CR06-00424 JW

**CERTIFICATE OF SERVICE**

v.  
*Lan Lee*  
~~UNDERSEAL~~ et al,

Defendant.

---

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on January 30, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

John Lyle Williams  
Manchester, Williams & Seibert  
125 S. Market Street Suite 1100  
San Jose, CA 95113

Matthew A. Parrella  
US Attorney's Office  
150 Almaden Blvd., Suite 900  
San Jose, CA 95113

Thomas J. Nolan  
Nolan, Armstrong, & Barton LLP  
600 University Avenue  
Palo Alto, CA 94301

Dated: January 30, 2007

Richard W. Wicking, Clerk

*Elizabeth C. Garcia*  
By: Elizabeth C. Garcia, Deputy Clerk